

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BARRY COSTA

Plaintiff,

vs.

**DAYTON-PHOENIX GROUP, IUE-
CWA, AFL-CIO LOCAL 755 and
ANTIJUAN DAVIS**

Defendants.

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Case No. 3:21-cv-00063-MJN

Judge Michael J. Newman

Magistrate Judge Sharon L. Ovington

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Barry Costa (“Costa”) and Defendants Dayton Phoenix Group (“DPG”), IUE-CWA, AFL-CIO Local 755 (“Local 755”) and Antijuan Davis (“Davis”) hereby stipulate as follows:

1. The parties agree that all of Costa’s claims against all Defendants will be dismissed with prejudice; and
2. The parties further agree that they shall bear their own attorneys’ fees and costs in this litigation.
3. Pursuant to *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375, (1994), the parties stipulate that the Court shall retain jurisdiction to enforce the terms of any settlement agreement.

IT IS SO STIPULATED.

Respectfully submitted,

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Local 755 and Antijuan Davis